

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**In Re: Phillip James Mears, Sr.  
Christine Francis Mears** ) **CASE NO. 17-34100-KLP  
Chapter 13**

AKA: Phillip Mears  
DBA: C & P Enterprises, LLC  
P & P Contractors  
DBA: C & P Enterprises, LLC  
P & P Contractors

Debtor Address(es): 744 Smith Cross Road  
South Hill, VA 23970

12293 Vienvenue Road  
Rockville, VA 23146

Last four digits of Social Security No(s).: 6847  
6982

**MOTION TO DISMISS, NOTICE OF MOTION AND NOTICE OF THE HEARING**

**NOW COMES** the Chapter 13 Trustee and moves this Court to dismiss this case as provided in 11 U.S.C. 1307(c)(6) as the Debtor(s) are in default in making the payments under the plan.

Carl M. Bates, Chapter 13 Trustee, has filed papers with the court to dismiss this case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before seven (7) days before the date of the hearing, you or your attorney must:

Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218  
(804)237-6800  
VSBN 27815

X File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, VA 23219

Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218  
(804)237-6800  
VSBN 27815

You must also mail a copy to:

Carl M. Bates, Chapter 13 Trustee  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218

       Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

X Attend the hearing on the motion scheduled to be held on **April 24, 2019 at 9:00 AM** at United States Bankruptcy Court, **701 East Broad Street, Richmond, VA 23219, Room 5100**.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: March 21, 2019

/s/ Carl M. Bates

Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218  
VSBN 27815

Certificate of Service

I hereby certify that I have this **21st day of March, 2019**, by mail, hand or electronically delivered a true copy of the foregoing Notice of Motion and Motion to the debtor(s) **Phillip James Mears, Sr., 744 Smith Cross Road, South Hill, VA 23970, Christine Francis Mears, 12293 Vienvenue Road, Rockville, VA 23146** and debtor(s) attorney, **Laura Taylor Alridge, Esquire, via e-mail: ecf@bolemanlaw.com**.

/s/ Carl M. Bates

Carl M. Bates  
Chapter 13 Trustee

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Chapter 13 Trustee  
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